

REMARKS

Claims 1-7 were examined and reported in the Office Action. Claims 1-4 are rejected. Claims 1 and 5 are amended. Claims 1-7 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 102(a)

It is asserted in the Office Action that claims 1-4 are rejected under 35 U.S.C. § 102(a), as being anticipated by Applicant's Fig. 1 Admitted Prior Art (AAPA). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2131,

'[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, *i.e.*, identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant's amended claim 1 contains the limitations of

first and second cell mats, each having a plurality of word lines; a data access controller for selecting a word line from the first cell mat and the second cell mat in response to the row address and a refresh signal to be used in a refresh operation; and a bank controller for preventing the first cell mat and the second cell mat from enabling simultaneously during the refresh operation.

AAPA does not disclose a bank controller for preventing a first cell mat and a second cell mat from enabling simultaneously during a refresh operation. Applicant's bank controller enables both of the first cell mat and the second cell mat at the same time during a data access operation. At the refresh operation, however, Applicant's claimed bank controller enables the

second cell mat after a predetermined time after enabling the first cell mat. Subsequently, a word line of the first cell mat is activated first, and a word line of the second cell mat is activated after the predetermined time. A first sense amplifier unit and a second sense amplifier unit operate at different times, and then peak current can be reduced.

AAPA does not teach, disclose or suggest “a bank controller for preventing the first cell mat and the second cell mat from enabling simultaneously during the refresh operation.” Therefore, since AAPA does not disclose, teach or suggest all of Applicant’s amended claim 1 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(b) has not been adequately set forth relative to AAPA. Thus, Applicant’s amended claim 1 is not anticipated by AAPA. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 2-4, respectively, are also not anticipated by AAPA for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(a) rejections for claims 1-4 are respectfully requested.

II. Allowable Subject Matter

Applicant notes with appreciation the Examiner’s assertion that claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully asserts that claims 1-7, as they now stand, are allowable for the reasons given above.

CONCLUSION

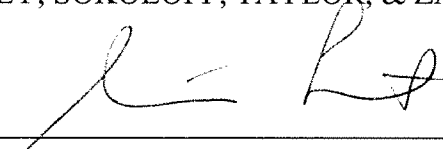
In view of the foregoing, it is submitted that claims 1-7 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: December 19, 2006

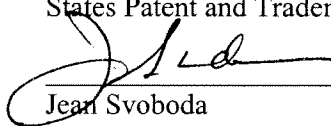
By:  _____

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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Jean Svoboda

Date: December 20, 2006